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Romanian Senate rejects Proposal to Prohibit Biotech Products

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Biotechnology - GE Plants and Animals
Biotechnology and Other New Production Technologies
Agricultural Situation

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Report Highlights:

The Romanian Senate recently debated and rejected a draft proposal outlining the interdiction on cultivation, import, and market of products enhanced through biotechnology. The proposal is still within the Chamber of Deputies where one of two committees tasked to review it has issued a negative position. The Chamber will take a vote once the second committee has issued its report, expected shortly.

General Information:

In February this year, a member of the lower Chamber of the Romanian Parliament (Chamber of Deputies) and a member of the Social-Democrat Party (currently in power) advanced for Parliamentary debate a draft law on biotechnology in the country. The aim of the draft law is to impose a moratorium on the import, market, and cultivation of bio-engineered products and products containing ingredients enhanced through biotechnology.

The Senate was the first chamber to discuss the proposal. According to regular procedures the Legislative Council and the Romanian Government submitted their position papers on the proposal. Four committees in the Senate analyzed the bill and all rejected it.

The Legislative Council, in its position paper, formally rejected the proposal stating that Romania had already transposed at national level legislation on biotechnology approved at the EU level. Its position warned that, if approved, this particular law would be in contradiction to provisions of Directive 2001/18/CE and other EU decisions which govern the movement of bio-engineered seeds.

The Romanian Government, in its position paper, explained that the national legislation concerning cultivation and labeling of crops enhanced through biotechnology is in line with current legislation at EU level. Further, the paper highlights that the European Agency for Food Safety (EFSA) plays an important role during the authorization process, and that EFSA's scientific opinion is the basis for decisions adopted at EU level in the area of food safety. It positions that a request to invoke the "Safeguard Clause" based on Directive 2001/18/CE concerning the deliberate introduction of genetically modified organisms into the environment must be founded on new scientific information showing that the utilization of GMOs, whose approval at EU level has already been granted, poses risks for human health and the environment. The new scientific information would need to be submitted to the European Union which ultimately decides whether to limit/prohibit that specific biotech event. The report notes that over time EFSA has assessed the scientific information submitted by several member states that have banned bio-engineered crop cultivation under the "safeguard clause" and following their assessments, the EU Commission and the European Court of Justice have concluded that the restrictions and bans applied by these member states were not-justified.

Further the government position paper admits that application of modern techniques in plant breeding is a *sine qua non* condition for obtaining rapidly productive biologic material, resistant to various environmental factors.

The government positioned that it has offered farmers the freedom to choose among the various types of agriculture: *conventional, biotech or organic*. In its view, a "safeguard" initiative would impact this freedom and would be discriminatory in the context of a unique market at EU level, wherein other member states have not imposed such measures.

Furthermore, the government position reveals that if approved, the provisions regarding the import and market of biotech products would negatively affect the feed industry and thus the livestock sector. As according to the Lisbon Treaty, any amendment to the law should be subject to approval from all EU members.

In mid-May, following its review of position papers and reports from various sub-committees the Senate debated the draft law in the plenary and rejected it.

The draft law then transferred to the Chamber of Deputies for discussion. Two committees were tasked to review and provide a position. One of them, the Committee for Agriculture, has issued a negative position already.

In the past there have been several other proposals aiming to prohibit the cultivation and/or to impose a very discriminatory labeling procedure in case of products containing ingredients (“yellow spot”) enhanced through biotechnology. Nevertheless, none of these proposals has passed the vote of the Romanian Parliament.

Related reports: [Romania Proposes to Prohibit Import and Cultivation of Biotech Products](#)